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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,126	03/28/2001	Thomas M. Sirhall	P5711 (SMQ-060)	2162
959	7590	07/13/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			NGUYEN, THANH	
			ART UNIT	PAPER NUMBER

2144

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/820,126

Applicant(s)

SIRHALL, THOMAS M.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_



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## Detailed Office Action

1. This action is in response to the amendment filed on February 1, 2005.
2. Claims **1-20** are pending.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 7, 9-14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al., (hereinafter Anderson) U.S. Patent No. 6,571,246 in view of Helmick et al., (hereinafter Helmick) U.S. Patent No. 6,470,171
5. As to claim 1, Anderson teaches the invention as claimed, including an electronic device that provides an on-line educational course, a method comprising: providing an interactive match game applet within a web page forming part of the on-line education

course (see col.3, lines 1-27), wherein said applet generates a graphical user interface displaying a set of images and a set of descriptions and allows a student to connect a first image and a first description that the student believes to correspond to the first image (col.3, lines 50-67, and col.4, line 60 to col.5, line 15); and forwarding the applet from the electronic device to a remote client for testing the student (col.6, lines 5-15, and col.6, line 62 to col.7, line 5). But Anderson does not explicitly teach the on-line educational course. However, Helmick teaches the on-line educational course (see col.4, lines 24-57, and col.6, lines 20-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Helmick into the computer system of Anderson to have the on-line educational course because it would have an efficient system that can provide specific functions that a need for instructor and administrator tools in this interactive environment to facilitate monitoring of instructors and the online educational forum as a whole.

6. As to claim 2, Anderson teaches the invention as claimed, wherein the applet renders a line between the first image and the corresponding description selected by the student to display an association made by the student (col.6, lines 5-15 and lines 35-50).
7. As to claim 7, Anderson teaches the invention as claimed, including an electronic device that provides an on-line educational course, a method comprising: receiving a request for a Web page forming part at the electronic device from a remote client (col.6, lines 35-50); and in response to said receiving step, sending a Web page containing a match game applet embedded therein to the remote client, wherein said applet generates a web page including a set of images and a set of descriptions, wherein said Web page further

includes instructions to student to match an image in the set of images with a corresponding description to test the student's knowledge (col.3, lines 50-67, and col.4, line 60 to col.5, line 15). But Anderson does not explicitly teach the on-line educational course. However, Helmick teaches the on-line educational course (see col.4, lines 24-57, and col.6, lines 20-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Helmick into the computer system of Anderson to have the on-line educational course because it would have an efficient system that can provide specific functions that a need for instructor and administrator tools in this interactive environment to facilitate monitoring of instructors and the online educational forum as a whole.

8. As to claim 9, Anderson teaches the invention as claimed, wherein said Web page includes the applet tag instructing a browser to execute instructions for running the match game applet (col.8, line 1-3, col.5, lines 1-15).
9. As to claim 10, Anderson teaches the invention as claimed, wherein the match game applet includes a definition file defining a correct answer to the question (col.1, lines 30-42).
10. As to claim 11, Anderson teaches the invention as claimed, wherein said Web page includes source code, and said definition file is separate from the source code to prevent a student from obtaining the correct answer by viewing the source code (col.6, lines 60-67, it is inherent because web page is source code).
11. As to claim 12, Anderson teaches the invention as claimed, including a computer-readable medium for use in an electronic device that provides an on-line educational

course, comprising instructions for running a match game applet for displaying a set of images and a set of descriptions corresponding to the set of images (see col.3, lines 1-27), wherein a student can match an image from the set of images with a corresponding description in the set of descriptions (col.3, lines 50-67, and col.4, line 60 to col.5, line 15). But Anderson does not explicitly teach the on-line educational course. However, Helmick teaches the on-line educational course (see col.4, lines 24-57, and col.6, lines 20-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Helmick into the computer system of Anderson to have the on-line educational course because it would have an efficient system that can provide specific functions that a need for instructor and administrator tools in this interactive environment to facilitate monitoring of instructors and the online educational forum as a whole.

12. As to claim 13, Anderson teaches the invention as claimed, wherein the instructions are executable on a virtual machine (Fig.1).
13. As to claim 14, Anderson teaches the invention as claimed, wherein the instructions are stored on a server and downloaded to a local processor of the student (col.5, lines 1-16)
14. As to claim 17, Anderson teaches the invention as claimed, including an electronic device for providing an on-line educational course comprising a processor (PC 110 with processor); a display screen (col.6, lines 5-15, and lines 35-45); and a memory including a Web page forming part having an interactive match game applet embedded therein (see col.3, lines 1-27), wherein said processor student executes said match game applet to generate a graphical user interface on said display screen, said graphical user interface

displaying a set of images, a set of descriptions and instructions to a student to match an image from the set of images with a corresponding description from the set of descriptions (col.3, lines 50-67, and col.4, line 60 to col.5, line 15). But Anderson does not explicitly teach the on-line educational course. However, Helmick teaches the on-line educational course (see col.4, lines 24-57, and col.6, lines 20-34). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Helmick into the computer system of Anderson to have the on-line educational course because it would have an efficient system that can provide specific functions that a need for instructor and administrator tools in this interactive environment to facilitate monitoring of instructors and the online educational forum as a whole.

15. As to claim 18, Anderson teaches the invention as claimed, further comprising a browser for locating and displaying said Web page (col.6, line 62 to col.7, line 5).
16. As to claim 19, Anderson teaches the invention as claimed, further comprising a network connection for connecting said electronic device to a computer network (Fig.1).
17. As to claim 20, Anderson teaches the invention as claimed, further comprising input media to allow the student to enter said answer (col.6, lines 1-16).
18. Claims 3-6, 8, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al., (hereinafter Anderson) U.S. Patent No. 6,571,246, and Helmick et al., (hereinafter Helmick) U.S. Patent No. 6,470,171 in view of Strub et al., (hereinafter Strub) U.S. Patent No. 6,652,287.

19. As to claim 3, Anderson and Helmick do not explicitly teach providers feedback to the user indicating the accuracy of the association made by the user. However, Strub teaches providers feedback to the user indicating the accuracy of the association made by the user (col.1, lines 50-62). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Anderson, Helmick and Strub to have providers feedback to the user indicating the accuracy of the association made by the user because it would have an efficient system that can provide specific functions so that a control device can use information about the current state of the system to determine the next control action.
20. As to claim 4, Anderson teaches the invention as claimed, wherein said applet permits a predetermined number of attempts by the student to match each image in the set of images with a corresponding description (col.5, lines 1-15).
21. As to claim 5, Anderson teaches the invention as claimed, wherein said applet automatically displays a correct answer to the student after the student surpasses said predetermined number of attempts (col.7, lines 30-40).
22. As to claim 6, Anderson teaches the invention as claimed, wherein said applet prevents the student from interacting with the applet after said predetermined number of attempts (col.4, lines 60-67).
23. As to claim 8, 15, 16, Anderson and Helmick do not explicitly teach hypertext markup language (HTML) code. However, Strub teaches hypertext markup language (HTML) code (col.3, lines 45-60, and col.2, line 60 to col.3, line 20). It would have been obvious



to one of ordinary skill in the art at the time of the invention to combine the teachings of Anderson, Helmick and Strub to have hypertext markup language (HTML) code because it would have an efficient system that can provide specific functions that a need for instructor and administrator tools in this interactive environment to facilitate monitoring of instructors and the online educational forum as a whole.

### *Conclusion*

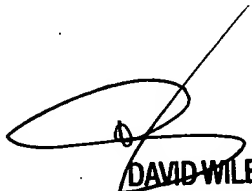
24. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

25. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at (571) 272-3929. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

*TTN*  
July 5, 2005



**DAVID WILEY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**